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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,556	05/15/2001	Takahiro Tanioka	166539/00	8146

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EXAMINER	
BACKER, FIRMIN	

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 10/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/854,556	TANIOKA, TAKAHIRO	
	Examiner	Art Unit	
	Firmin Backer	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 May 2003* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

This is in response to a letter for patent filed on May 15th, 2001 in which claims 1-20 are presented for examination. Claims 1-20 are pending in the letter.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1 and 2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Claim 1 recites the limitation "the processing unit, the processing unit" in paragraph 2 line 1 and paragraph 4 line 2 respectively. There is insufficient antecedent basis for this limitation in the claim.

4. Claim 2 recites the limitation "the collection/distribution server, the network" in paragraph 2 line 1, 3 line 3 respectively. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Hubbard et al (U.S. PG Pub 2003/0149765).

7. As per claim 1, Hubbard et al teach a distributed processing method (*distributing project workload)* in which a processing task is distributed to a plurality of user terminals (*multiple distributed devices, client system, 1202)* and is executed by a plurality of user terminals (*see fig 1A, 1B)*, comprising a server (*server systems 104)* dividing a processing task into a plurality of the processing units and distributing the processing units (*standard load)* to the plurality of user terminals, each of the plurality of user terminals executing the distributed processing unit received from the server and sending back a processing result (*communicating result from the client to the server)* to the server via the network (*internet/intranet, 102)* and the user terminals receiving a specified service (*incentives)* as a value for executing the processing units (*see fig 1, 2, paragraphs 0001, 0003, 0018 –0022).*

8. As per claim 2, Hubbard et al teach a distributed processing method wherein the specified service is to provide a license of using a user application or to discount a user fee charged by a on-line shopping and a provider connection (*see paragraph 0022)*.

9. As per claim 3, Hubbard et al teach a distributed processing method in which a processing task is distributed to a plurality of user terminals and executed by a plurality of user terminals, the distributed processing method comprising the collection/distribution server dividing the processing task into at least one or more processing units and distributing the units to the user terminals; each of the plurality of user terminals receiving the processing unit transmitted from the collection/distribution server via the network to execute the processing unit under control of a license application installed to the user terminal; each of the plurality of user terminals sending back a processing result to the collection/distribution server via the network; and the license application providing the user terminal with a license for using a user application as a value for executing the processing unit (*see fig 1, 2, paragraphs 0001, 0003, 0018 –0022)*.

10. As per claim 4, Hubbard et al teach a distributed processing method of a processing task, comprising: a user terminal obtaining a user application and a license application from an application server via a network; the application server transmitting information of a user who obtained the user application and the license application to a collection/distribution server; the collection/distribution server accepting a request for a processing task from a customer terminal via the network; the collection/distribution server dividing the processing task into a form which can be distributed and executed in a plurality of user terminals; the collection/distribution server

requesting the user terminal of executing the divided processing task based on the user information received from the application server; the license application executing the divided processing task requested from the collection/distribution server by the license application on the user terminal, and sending back a processing result to the collection/distribution server from the user terminal; the license application providing the user terminal with a license key for the user application installed to the user terminal; and the collection/distribution server integrating the processing results of the processing task collected from the user terminals to transmit a integrated result to the customer terminal (*see fig 1, 2, paragraphs 0001, 0003, 0018 –0022, 0027-0028).*

11. As per claim 5, Hubbard et al teach a distributed processing method wherein the license application runs as a background processing on the user terminal (*see paragraph 0027, 0028).*

12. As per claim 6, Hubbard et al teach a distributed processing method further comprising: the application server accounting to the collection/distribution server in accordance with the number of the license applications supplied to the user terminal (*see paragraph 0022).*

13. As per claim 7, Hubbard et al teach a distributed processing method comprising: a user terminal accessing an application server, which is providing a specified service, via a network to obtain a license application; the application server registering information of a user terminal, which obtained the license application, with a user database, and transmitting the information to a collection/distribution server via the network; the collection/distribution server accepting a request for a processing task from a customer terminal via the network, and dividing the

processing task into a form which can be distributed and executed in a plurality of user terminals; the collection/distribution server requesting at least one or more the user terminals of executing a divided processing task based on the user information received from the application server; the license application executing the processing task requested by the collection/distribution server on each of the user terminals; the license application sending back a processing result of the processing task to the collection/distribution server; the collection/distribution server integrating the processing results of the processing task sent back from the user terminals and transmitting a integrated result to the customer terminal; the collection/distribution server calculating and storing points in accordance with a processing amount for the processing task of each of the user terminals; and the application server providing the user terminal with a service with accordance to the points stored by the collection/distribution server when the service is requested from the user terminal which executed the processing task (*see fig 1, 2, paragraphs 0001, 0003, 0018 – 0022, 0027-0028, 0031).*

14. As per claim 8, Hubbard et al teach a distributed processing system in which a processing task is executed by a plurality of user terminals, comprising: a collection/distribution server which divides a processing task requested from a customer terminal into a plurality of processing units and distributes the processing units to the user terminals via the network; and a application server which supplies the user terminals with a user application and a license application in response to a request from the user terminals, wherein the license application supplied to the user terminal executes the processing unit on the user terminal and sends back a processing result when the user terminal receives one or more the processing units from the collection/distribution

server, and provides the user terminal with a license key for using the user application (*see fig 1, 2, paragraphs 0001, 0003, 0018 –0022, 0027-0028).*

15. As per claim 9, Hubbard et al teach a distributed processing further comprising: a first user database which connects to the application server and which stores user information of the user terminals, to which the application server supplied the user application and the license application, wherein the application server notifies the collection/distribution server of the user information when storing the user information into the first database (*see fig 1, 2, paragraphs 0001, 0003, 0018 –0022, 0027-0028).*

16. As per claim 10, Hubbard et al teach a distributed processing system according to claim 9, further comprising: a second user database which connects to the collection/distribution server and which stores the user information received by the collection/distribution server from the application server, wherein the collection/distribution server manages the user terminals which execute a divided processing task based on the second user database (*see fig 1, 2, paragraphs 0001, 0003, 0018 –0022, 0027-0028).*

17. As per claim 11, Hubbard et al teach a distributed processing system according to claim 10, wherein the license application supplied to the user terminal requests the processing unit to the collection/distribution server when the license application runs on the user terminal (*see fig 1, 2, paragraphs 0001, 0003, 0018 –0022, 0027-0028).*

18. As per claim 12, Hubbard et al teach a distributed processing system in which a processing task executed by a plurality of user terminals, comprising: a collection/distribution server which divides a processing task requested into a plurality of processing units, and which distributes the processing units to the plurality of user terminals, and which calculates points of each of the user terminals in accordance with a processing amount of the processing units; a database connected to the collection/distribution server which stores the calculated points for every user terminal; an application server which supplies the user terminal with a license application in response to a request from the user terminal and which provides a service in response to a request from the user terminal; and a plurality of the user terminals which executes the processing unit transmitted from the collection/distribution server, wherein the license application supplied to the user terminal executes the processing unit on the user terminal and sends back a processing result to the collection/distribution server when the user terminal receives one or more the processing units from the collection/distribution server, and the application server provides the user terminal with a service in accordance with points stored in the database (*see fig 1, 2, paragraphs 0001, 0003, 0018 –0022, 0027-0028).*

19. As per claim 13, Hubbard et al teach a distributed processing system wherein the collection/distribution server integrates and edits all the processing results transmitted from the user terminals, and transmits the result to the customer terminal (*see paragraph 0027, 0028).*

20. As per claim 14, Hubbard et al teach a distributed processing system wherein the service for the user terminal of the application server is a discount of a fee in accordance with the points.

21. As per claim 15, Hubbard et al teach a distributed processing system wherein the license application runs on the user terminal as a background processing.

22. As per claim 16, Hubbard et al teach a distributed processing system wherein the application server charges the user terminal for an amount, which is discounted from a service fee for the user terminal by an amount in accordance with the point, and charges the collection/distribution server for the discounted amount (*see paragraph 0022).*

23. As per claim 17, Hubbard et al teach a program embodied in electric signals, the program causing a user terminal, being in a distributed processing system comprising: a collection/distribution server; an application server; at least one or more user terminals; and a network mutually connecting the foregoing, to perform: receiving a license key capable of using a specified user application from the application server, executing at least one or more processing units received from the collection/distribution server on the user terminal; sending back a result of executing the processing unit to the collection/distribution server; and applying the license key to the user application on the user terminal as a value for executing the processing units (*see fig 1, 2, paragraphs 0001, 0003, 0018 –0022).*

24. As per claim 18, Hubbard et al teach a program embodied in electric signals, the program causing a collection/distribution server, being in a distributed processing system comprising: a collection/distribution server; an application server; at least one or more user terminals; and a

network mutually connecting the foregoing, to perform: receiving user information of the user terminal registered with the application server from the application server and registering with a database; accepting a processing task from a customer terminal and dividing the processing task into a plurality of processing units; distributing each of the processing units to a plurality of the user terminals connected via the network; receiving processing results, which processed by the user terminals, of the distributed processing units; integrating the received results, forming a result of the processing task, and sending back the result the customer terminal; calculating a point value in accordance with a processing amount for the processing unit for each of the user terminals and storing the point value in the database, and notifying the application server of the stored point value (*see fig 1, 2, paragraphs 0001, 0003, 0018 –0022).*

25. As per claim 19, Hubbard et al teach a collection/distribution server which allows a plurality of user terminals to execute a processing task in a distributed state, comprising means for: accepting a request for a processing task from a customer terminal; dividing and storing the processing task accepted into a plurality of processing units; transmitting the stored processing units to the user terminal in response to a transmission request for the processing unit transmitted from the user terminal; receiving a processing result transmitted from the user terminal; integrating and editing all the processing results transmitted from the user terminals, forming a processing result for the processing task request, and transmitting the result to the customer terminal; and calculating a point value in accordance with a processing amount of the user terminal, and storing the point value for each of the user terminals; and sending the stored point value to an application server (*see fig 1, 2, paragraphs 0001, 0003, 0018 –0022).*

26. As per claim 20, Hubbard et al teach an application server of a distributed processing system in which a processing task received by a collection/distribution server is divided and executed in a plurality of user terminals, comprising means for: sending a user application and a license application to a user terminal which requested sending of an application; registering user information of the user terminal, to which the user application and the license application are sent, with a database, and send the user information to the collection/distribution server, providing a service in accordance with a request for the service from the user terminal; obtaining a point value for each of the user terminals from the collection/distribution server; and charging the user terminal for an amount, which is discounted from a service fee for the user by an amount in accordance with the obtained point value for each the user terminals, and charging the collection/distribution server for the discounted amount (*see fig 1, 2, paragraphs 0001, 0003, 0018 –0022, 0027-0028).*

Conclusion

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (*see form 892).*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is (703) 305-0624. The examiner can normally be reached on Mon-Thu 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Firmin Backer
Examiner
Art Unit 3621

October 23, 2003